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Letter dated 9 December 2005 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the fact that the outcome of the court trial on the cases related to the terrorist acts in Andijan was commented upon in an unfair and prejudiced manner by the States members of the European Union in their statement circulated as a Security Council document (S/2005/749).

In this connection, I would like to attach the statement of the Supreme Court of the Republic of Uzbekistan (see annex) so that it could contribute to the accurate and objective understanding of the issue by the international community.

I would appreciate it if you could circulate the present letter and its annex as a document of the sixtieth session of the General Assembly, under agenda items 106 and 108, and of the Security Council.

(*Signed*) Alisher **Vohidov**
Permanent Representative of the Republic of Uzbekistan

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Annex to the letter dated 9 December 2005 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement by the Supreme Court of the Republic of Uzbekistan

The judicial proceedings in Tashkent relating to 15 individuals accused of committing terrorist acts in May 2005 in the town of Andijan were conducted in accordance with the rules of Uzbek legislation, which itself complies with the standards and requirements of the rules of international law.

It must be noted that the rules of international law are based on the principles of the fullest protection for human rights and people's interests and are binding on the whole of the world community. Uzbekistan observes these requirements with due strictness.

These international standards were also observed in the course of the legal proceedings in Tashkent. Indeed, the trial was extremely transparent, open and, ultimately, accessible to the entire world community, in the person of representatives of diplomatic missions, international organizations and the foreign media. We note that, notwithstanding their democratic approach to the consideration of cases, the judicial practices of the United States of America and the European Union have not, to date, manifested similar or identical qualities.

In the light of these facts, the statements by officials of the United States and the European Union on the allegedly unfounded nature of the charges against 15 individuals who participated in mass disorders in Andijan are clearly rather subjective and tendentious.

With regard to the testimony which the United States and the European Union described as implausible and obtained under duress, the actual facts admit of no doubt as to its objectivity and trustworthiness. The testimony by witnesses and victims concerning the events in question was fully confirmed by the evidence on the case that emerged in the course of investigations. It may be noted that United States and European Union representatives were themselves eyewitnesses to the judicial proceedings when they listened to the testimony of some 300 people. They also witnessed the adversarial approach adopted by the defence, which included the counsel whose defence procedures were branded "inadequate". The undoubted effectiveness of the defence is irrefutably shown by the fact that a number of counts were excluded from the indictment, which had a considerable effect on the final form of the penalties imposed.

It only remains to note that such "extreme concern" expressed about Uzbekistan by Western countries which have also in their time been fated to suffer from terrorist acts is somewhat bewildering and raises some doubts as to the sincerity of their concern. The statements by the United States and the European Union give Uzbekistan, in its turn, cause to express some concern as to whether they are truly committed to combating terrorism. For their actions run completely counter to the principles of the fight against terrorism that they themselves have been advancing and proclaiming.